

U.S.A. vs

Hector Ortega-Meneses

No.

08cr444-H

The Court finds excludable delay, under the section indicated by check (✓),

commenced on

3-17-08

and ended on

6-10-08

(X2)

and ended on

9-15-08

(X7, X1)

3161(h)

___(1) (A)

Exam or hrg for **mental or physical incapacity**

___(1) (B)

NARA examination (28:2902)

___(1) (D)

State or Federal trials or **other charges pending**

___(1) (E)

Interlocutory appeals

X (1) (F)

Pretrial motions (from flg to hrg or other prompt dispo)

___(1) (G)

Transfers from other district (per FRCrP 20, 21 & 40)

___(1) (J)

Proceedings under advisement not to exceed thirty days

Misc proc: Parole or prob rev, deportation, **extradition**

___(1) (H)

Transportation from another district or to/from examination or hospitalization in ten days or less

X (1) (I)

Consideration by Court of **proposed plea agreement**

___(2)

Prosecution deferred by mutual agreement

___(3) (A) (B)

Unavailability of defendant or essential witness

___(4)

Period of **mental or physical incompetence** of defendant to stand trial

___(5)

Period of **NARA commitment or treatment**

___(6)

Superseding indictment and/or new charges

___(7)

Defendant awaiting trial of co-defendant when no severance has been granted

___(8) (A) (B)

Continuances granted per (h) (8)-use "T" alone if more than one of the reasons below are given in support of continuance

___(8) (B) (I)

- 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.
(Continuance - **miscarriage of justice**)
- 2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.
(Continuance - **tendered a guilty plea**)

X (8) (B) (ii)

2) **Case unusual or complex**

___(8) (B) (iii)

3) **Indictment** following arrest **cannot be filed** in thirty (30) days

___(8) (B) (iv)

4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare
(Continuance re counsel)

___3161(I)

Time up to **withdrawal of guilty plea**

___3161(b)

Grand jury indictment time extended thirty (30) more days

Date

6/10/08

JMA
Judge's Initials

A

B

C

D

E

F

G

H

6

7

I

M

N

O

P

R

T

T1

T2

T3

T4

U

W